NEHEMIAH ROBINSON
PLAINTIFF/PETITIONER/MOVANT'S NAME

J-71342
PRISON NUMBER

CALIPATRIA STATE PRISON
PLACE OF CONFINEMENT

P.O. BOX 5004, CALIPATRIA, CA. 92233
ADDRESS

FILED
2008 FEB 27 PM 3:14
CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY RM DEPUTY

United States District Court
Southern District Of California

NEHEMIAH ROBINSON,
Plaintiff/Petitioner/Movant

v.

■. T. CATLETT ET, AL.,
Defendant/Respondent

Civil No. 08CV0161 H (BLM)
(TO BE FILLED IN BY U.S. DISTRICT COURT CLERK)

MOTION AND DECLARATION UNDER PENALTY OF PERJURY IN SUPPORT OF MOTION TO PROCEED IN FORMA PAUPERIS

I, NEHEMIAH ROBINSON J-71342,
declare that I am the (Plaintiff)/Petitioner/Movant in this case. In support of my request to proceed without prepayment of fees or security under 28 U.S.C. § 1915, I further declare I am unable to pay the fees of this proceeding or give security because of my poverty, and that I believe I am entitled to redress.

In further support of this application, I answer the following question under penalty of perjury:

1. Are you currently incarcerated? ☑ Yes ☐ No (If "No" go to question 2)
   If "Yes," state the place of your incarceration CALIPATRIA STATE PRISON
   Are you employed at the institution? ☐ Yes ☑ No
   Do you receive any payment from the institution? ☐ Yes ☑ No
   [Have the institution fill out the Certificate portion of this affidavit and attach a certified copy of the trust account statement from the institution of your incarceration showing at least the last six months transactions.]

2. Are you currently employed? ☐ Yes ☑ No
   a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer. N/A.

   b. If the answer is "No" state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer. DONT RECALL DATE; C/O DEVERS WAS PLAINTIFF EMPLOYER, PLAINTIFF ASSIGNED DUTY WAS CULINARY WORKER; AMOUNT OF PLAINTIFF PAY WAS ABOUT $19.00 MONTHLY; ON OR ABOUT 2001, AT CSP1 SAC NEW FOLSOM (THAT WAS PLAINTIFF LAST JOB ASSIGNMENT).

3. In the past twelve months have you received any money from any of the following sources?:

a.	Business, profession or other self-employment	☐ Yes	☑ No
b.	Rent payments, royalties interest or dividends	☐ Yes	☑ No
c.	Pensions, annuities or life insurance	☐ Yes	☑ No
d.	Disability or workers compensation	☐ Yes	☑ No
e.	Social Security, disability or other welfare	☐ Yes	☑ No
e.	Gifts or inheritances	☑ Yes	☐ No
f.	Spousal or child support	☐ Yes	☑ No
g.	Any other sources	☐ Yes	☑ No

If the answer to any of the above is "Yes" describe each source and state the amount received and what you expect you will continue to receive each month. RECEIVED $100.00 FROM BROTHER, ROY FLENOY SR, AS A GIFT. IT IS UNKNOWN AS TO WHETHER OR NOT I WILL RECEIVE ANYMORE MONEY. ($50.00, 50.00, AND 25.00)

4. Do you have any checking account(s)? ☐ Yes ☑ No
   a. Name(s) and address(es) of bank(s): N/A.
   b. Present balance in account(s): N/A.

5. Do you have any savings/IRA/money market/CDS' separate from checking accounts? ☐ Yes ☑ No
   a. Name(s) and address(es) of bank(s): N/A.
   b. Present balance in account(s): N/A.

6. Do you own an automobile or other motor vehicle? ☐ Yes ☑ No
   a. Make: — Year: — Model: —
   b. Is it financed? ☐ Yes ☑ No (N/A)
   c. If so, what is the amount owed? N/A.

7. Do you own any real estate, stocks, bonds, securities, other financial instruments, or other valuable property?
☐ Yes ☑ No
If "Yes" describe the property and state its value. N/A.

8. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support. MY SON: NEHEMIAH ROBINSON, JR; COUSIN: BARRY CONWAY; THE AMOUNT VARIES AND DEPEND ON FINANCIAL STATUS.

9. List any other debts (current obligations, indicating amounts owed and to whom they are payable): N/A.

10. List any other assets or items of value (specify real estate, gifts, trusts inheritances, government bonds, stocks, savings certificates, notes, jewelry, artwork, or any other assets [include any items of value held in someone else's name]): T.V, HEAD PHONES, CD-PLAYER, CD'S (DISC), AND WATCH.

12. If you answered all of the items in #3 "No," and have not indicated any other assets or sources of income anywhere on this form, you must explain the sources of funds for your day-to-day expenses. FAMILY MEMBERS ONLY.

I declare under penalty of perjury that the above information is true and correct and understand that a false statement herein may result in the dismissal of my claims.

2-4-08
DATE

[signature]
SIGNATURE OF APPLICANT

If you are a **prisoner** you must have an officer from your institution provide this official certificate as to the amount of money in your prison account. There are no exceptions to this requirement.

PRISON CERTIFICATE
(Incarcerated applicants only)
(To be completed by the institution of incarceration)

I certify that the applicant ROBINSON, NEHEMIAH,
(NAME OF INMATE)

J 71342,
(INMATE'S CDC NUMBER)

has the sum of $ 12.20 on account to his/her credit at
CALIPATRIA STATE PRISON.
(NAME OF INSTITUTION)

I further certify that the applicant has the following securities N/A

to his/her credit according to the records of the aforementioned institution. I further certify that **during the past six months** the applicant's ***average monthly balance*** was $ 893.06,

and the ***average monthly deposits*** to the applicant's account was $ 37.50.

ALL PRISONERS ***MUST*** ATTACH A CERTIFIED COPY OF THEIR TRUST ACCOUNT STATEMENT SHOWING TRANSACTIONS FOR THE SIX-MONTH PERIOD IMMEDIATELY PRECEDING THE FILING OF THE COMPLAINT PER 28 U.S.C. § 1915(a)(2).

2/21/08
DATE

[signature]
SIGNATURE OF AUTHORIZED OFFICER OF INSTITUTION

D. ZAMUDIO III
OFFICER'S FULL NAME (PRINTED)

Account Clerk II
OFFICER'S TITLE/RANK

TRUST ACCOUNT WITHDRAWAL AUTHORIZATION
(Incarcerated applicants only)

(This form **MUST** be completed by the prisoner requesting to proceed in forma pauperis. An incomplete "Trust Account Withdrawal Authorization Form," or "Prison Certificate" will result in automatic denial of the prisoner's request to proceed in forma pauperis.)

I, NEHEMIAH ROBINSON J-71342, request and authorize the agency holding me in custody to prepare for the Clerk of the United States District Court for the Southern District of California, a certified copy of the statement for the past six months of my trust fund account (or institutional equivalent) activity at the institution where I am incarcerated.
(Name of Prisoner/ CDC No.)

I further request and authorize the agency holding me in custody to calculate and disburse funds from my trust fund account (or institutional equivalent) pursuant to any future orders issued by the Court relating to this civil action pursuant to the Prison Litigation Reform Act of 1995, Pub. L. No. 104-134, Title VIII, §§ 801-10, 110 Stat. 1321 (1996).

This authorization is furnished in connection with a civil action filed in the Southern District of California, and I understand that, pursuant to 28 U.S.C. §§ 1914 and 1915(b)(1), the total amount of filing fees for which I am obligated is either ☑ $350 (civil complaint) or ☐ $5 (habeas corpus petition) (check one). I also understand that this fee will be debited from my account regardless of the outcome of this action. This authorization shall apply to any other agency into whose custody I may be transferred.

2-4-08
DATE

[signature]
SIGNATURE OF PRISONER

REPORT ID: TS3030 .701 REPORT DATE: 02/21/08
PAGE NO: 1

CALIFORNIA DEPARTMENT OF CORRECTIONS
CALIPATRIA STATE PRISON
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: AUG. 01, 2007 THRU FEB. 21, 2008

ACCOUNT NUMBER : J71342 BED/CELL NUMBER: FA0500000000148L
ACCOUNT NAME : ROBINSON, NEHEMIAH ACCOUNT TYPE: I
PRIVILEGE GROUP: D

TRUST ACCOUNT ACTIVITY

DATE	TRAN CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
08/01/2007		BEGINNING BALANCE					979.50
08/07	W513	MISC. CHARGES	ENVEL 0772			0.30	979.20
08/07	W516	LEGAL COPY CH	8/4 0775			5.30	973.90
08/13	FC02	DRAW-FAC 2	B-2 0893			62.00	911.90
08/22	W516	LEGAL COPY CH	08-16/1096			18.20	893.70
08/28	D300	CASH DEPOSIT	MR/701237		50.00		943.70
09/10	W516	LEGAL COPY CH	8/31 1437			3.30	940.40
09/10	W512	LEGAL POSTAGE	9/4 1434			2.28	938.12
09/14	W516	LEGAL COPY CH	9-05 1541			14.40	923.72
09/17	W502	POSTAGE CHARG	09/14 1566			2.84	920.88
09/17	W502	POSTAGE CHARG	09/14 1566			0.41	920.47
09/17	W502	POSTAGE CHARG	09/14 1566			1.82	918.65
09/19	W515	COPY CHARGE	09/17 1628			0.10	918.55
09/24	W512	LEGAL POSTAGE	9/21 1737			1.82	916.73
09/24	W512	LEGAL POSTAGE	9/21 1737			2.67	914.06
09/26	W516	LEGAL COPY CH	9/20 1812			12.80	901.26
10/01	W515	COPY CHARGE	09-27/1884			8.40	892.86
10/02	W512	LEGAL POSTAGE	10/1 1923			2.16	890.70
10/02	W512	LEGAL POSTAGE	10/1 1923			1.48	889.22
10/15	FC05	DRAW-FAC 5	A5 2175			45.00	844.22
10/16	W516	LEGAL COPY CH	10/9 2218			1.80	842.42
10/22	FR01	CANTEEN RETUR	702311			0.10-	842.52
11/06	W512	LEGAL POSTAGE	10/30 2656			0.76	841.76
11/06	W516	LEGAL COPY CH	10/26 2667			4.00	837.76
11/16	D300	CASH DEPOSIT	MRMO 2838		100.00		937.76
11/19	FC05	DRAW-FAC 5	A-5 2906			20.00	917.76
11/26	FR01	CANTEEN RETUR	702988			0.01-	917.77
12/10	D300	CASH DEPOSIT	MR/ 703242		50.00		967.77
12/17	D300	CASH DEPOSIT	MR/703399		25.00		992.77
12/17	FC05	DRAW-FAC 5	A5 3434			45.00	947.77
12/19	W516	LEGAL COPY CH	12/17 3496			62.70	885.07
12/24	W512	LEGAL POSTAGE	12-17 3606			8.90	876.17
12/24	W512	LEGAL POSTAGE	12-17 3606			6.40	869.77
		ACTIVITY FOR 2008					
01/02	FR01	CANTEEN RETUR	703683			3.24-	873.01
01/07	W512	LEGAL POSTAGE	1/7 3822			0.15	872.86
01/08	W415	CASH WITHDRAW	BOOK 3871	111088265		39.99	832.87
01/14	FC05	DRAW-FAC 5	A5 3963			45.00	787.87
01/23	W513	MISC. CHARGES	1-19 4164			0.15	787.72
01/23	W516	LEGAL COPY CH	1-16 4165			11.40	776.32
01/25	W512	LEGAL POSTAGE	01/23 4230			4.60	771.72
01/28	FR01	CANTEEN RETUR	704238			0.01-	771.73
02/04	W512	LEGAL POSTAGE	1/30 4375			5.30	766.43

REPORT ID: TS3030 .701 REPORT DATE: 02/21/08
PAGE NO: 2

CALIPATRIA STATE PRISON
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: AUG. 01, 2007 THRU FEB. 21, 2008

ACCT: J71342 ACCT NAME: ROBINSON, NEHEMIAH ACCT TYPE: I

DATE	TRAN CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
02/04	W512	LEGAL POSTAGE	1/30 4375			2.84	763.59
02/04	W516	LEGAL COPY CH	1/28 4384			19.50	744.09
02/04	W513	MISC. CHARGES	ENVEL 4393			0.15	743.94
02/13	W415	CASH WITHDRAW	BILL 4597	111088649		6.74	737.20
02/13	W415	CASH WITHDRAW	COUNSE4597	111088650		700.00	37.20
02/15	FC01	DRAW-FAC 1	A-5 4661			25.00	12.20

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
979.50	225.00	1,192.30	12.20	0.00	0.00

THE WITHIN INSTRUMENT IS A CORRECT COPY OF THE TRUST ACCOUNT MAINTAINED BY THIS OFFICE.
ATTEST:
CALIFORNIA DEPARTMENT OF CORRECTIONS
BY [signature]
TRUST OFFICE

CURRENT AVAILABLE BALANCE
12.20